

DECLARATION FOR PATENT APPLICATION	Attorney Docket 24301
------------------------------------	-----------------------

As a below-named inventor(s), I/we hereby declare that:

My/Our residence(s), post office address(es) and citizenship(s) is/are as stated below next to my/ name(s).

I/We believe I/we am/are the original inventor, first and sole (if only one name is listed below) or the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed, and for which a patent is sought on the invention entitled:

A METHOD FOR MANUFACTURING A SHAPE BODY CONTAINING A STARCH, A HOMOGENISED MASS CONTAINING STARCH AND A DEVICE FOR MANUFACTURING A SOFT CAPSULE

the specification of which: (check one)

☐ is attached hereto.

☒ was filed on June 29, 2000, as Serial No. 09/606,219

and was amended on \_\_\_\_\_ 19 \_\_\_\_\_ (if applicable).

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application as defined by 37 CFR § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) or patent or inventor's certificate listed below, and have also identified below any foreign application or patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications:

<u>99811071.2</u>	<u>Europe</u>	<u>19/11/1999</u>	Priority Claim
(Application No.)	(Country)	(Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes
<u>                    </u>	<u>                    </u>	<u>                    </u>	<input type="checkbox"/> Yes
(Application No.)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes
<u>                    </u>	<u>                    </u>	<u>                    </u>	<input type="checkbox"/> Yes
(Application No.)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes

We hereby appoint Gary M. Nath, Reg. No. 26,965; Harold L. Novick, Reg. No. 26,011; Suet M. Chon Reg. No. 38,104; Todd L. Juneau, Reg. No. 40,669; Lee C. Heiman, Reg. No. 41,827; Jerald L. Meyer, Reg. No. 41,194; Joshua B. Goldberg, Reg. No. 44,126; David Milligan, Reg. No. 42,893; David R. Murphy, Reg. No. 22,751; Paul A. Sacher, Reg. No. 43,418, and Scott F. Yarnell, reg. No. P-45,245; Gregory B. Kang, Reg. No. P-45,273, as my attorneys to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith.

Direct Telephone Calls to:

Gary M. Nath  
(202) 775-8383

Send Correspondence to:  
NATH & ASSOCIATES  
Sixth Floor  
1030 Fifteenth Street, N.W.  
Washington, D.C. 20005 U.S.A.

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by 35 U.S.C. § 112, first paragraph, I/we acknowledge the duty to disclose material information as defined in 37 CFR § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>                    </u>	<u>                    </u>	<u>                    </u>
(U.S. Application Serial No.)	(U.S. Filing Date)	(Status--patented, pending, abandoned)
<u>                    </u>	<u>                    </u>	<u>                    </u>
(U.S. Application Serial No.)	(U.S. Filing Date)	(Status--patented, pending, abandoned)

## DECLARATION FOR PATENT APPLICATION

Attorney Docket 24301

We hereby declare that all statements made herein of my own knowledge are true and that statements made on information and belief are believed to be true; and further that these statements made with the knowledge that willful false statements and the like so made are punishable by fine imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Dr. Ivan Tomka

Inventor's Signature Ivan Tomka

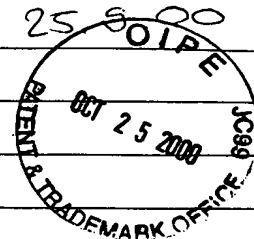
Date

25.8.00

Residence: Zürich, Switzerland

Citizenship: Swiss

Post Office Address: Schaffhauserstrasse 219, 8057 Zürich, Switzerland



Full name of second inventor: Dieter Engel

Inventor's Signature Dieter Engel

Date

25.8.00

Residence: Zuzwil / Switzerland

Citizenship: German

Post Office Address: Eschenstrasse 38, 9524 Zuzwil, Switzerland

Full name of third inventor: Dr. Erich Brocker

Inventor's Signature Erich Brocker

Date

25.8.00

Residence: Kirchberg / Switzerland

Citizenship: Swiss

Post Office Address: Lerchenfeldstrasse 190, 9533 Kirchberg, Switzerland

Full name of fourth inventor: Rico Ménard

Inventor's Signature Rico Ménard

Date

25.8.00

Residence: Zürich / Switzerland

Citizenship: Swiss

Post Office Address: Tobelhofstrasse 227, 8044 Zürich, Switzerland

Full name of fifth inventor:

Inventor's Signature

Date

Residence:

Citizenship:

Post Office Address:

Applicant or Patentee: TOMKA et al. Attorney's 24301  
 Serial or Patent No.: 09/606,219 Docket No.:  
 Filed or Issued: June 29, 2000  
 For: A METHOD FOR MANUFACTURING A SHAPE BODY CONTAINING A STARCH  
A HOMOGENISED MASS CONTAINING STARCH AND A DEVICE FOR MANUFACTURING  
A SOFT CAPSULE

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
 STATUS (37 CFR 1.9 (f) and 1.27 (c)) — SMALL BUSINESS CONCERN**



I hereby declare that I am

- ☒ the owner of the small business concern identified below:  
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Peter Greither  
 ADDRESS OF CONCERN Rätenbergstrasse 26  
9511 Kirchberg / Switzerland

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9 (d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled

Dr. Ivan Tomka, Dieter Engel, Dr. Erich Bocker and Rico Ménard by inventor(s)  
 described in

- ☐ the specification filed herewith  
☒ application serial no. 09/606,219, filed June 29, 2000  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9 (d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

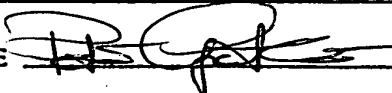
NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Peter Greither  
 TITLE OF PERSON OTHER THAN OWNER \_\_\_\_\_  
 ADDRESS OF PERSON SIGNING Rätenbergstrasse 26  
9511 Kirchberg / Switzerland

SIGNATURE  DATE 25.9.00